

## ELEVENTH DAY.

Senate Chamber,

Austin, Texas,

Monday, March 29, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll call, quorum present, the following Senators answering to their names:

Adams.	Murray.
Alexander.	Peeler.
Cofer.	Perkins.
Greer.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowle.
Hume.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	

Absent.

Brachfield.	Paulus.
Bryan.	Weinert.
Harper.	Willacy.

Absent—Excused.

Real.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Saturday, on motion of Senator Hayter, the same was dispensed with.

## EXCUSED.

On account of important business:

Senator Willacy for today, on motion of Senator Watson.

Senator Harper for today, on motion of Senator Veale.

Senator Brachfield for today, on motion of Senator Stokes.

Senator Paulus for today, tomorrow and Wednesday, on motion of Senator Kellie.

## NOTICE OF DEATH OF HON. L. J. STOREY.

Austin, Texas, March 29, 1909.

Hon. A. B. Davidson, Lieutenant Governor and President of the Senate.

Dear Sir: We are writing to advise you that after a brief illness, Hon. L. J. Storey, chairman of the Railroad Commission of Texas, and formerly Lieuten-

ant Governor of the State and President of the Senate, died at his home in the city of Austin on Sunday morning, March 28th, at about 7 o'clock.

Arrangements have been made for his burial in the town of Lockhart, Caldwell county, Tuesday morning, at 11 o'clock. A special funeral train has been arranged for, which will leave Austin at 8 o'clock tomorrow morning, via San Marcos. It is proposed to leave Lockhart with this train at 2 o'clock tomorrow afternoon, March 30th, and return to Austin, reaching Austin on return about 4 or 4:30 o'clock.

Arrangements have been made to accommodate members of the Senate, or any committee which the Senate may appoint, and for their transportation to Lockhart and return upon this train. We will thank you to advise the Railroad Commission at the earliest opportunity the number of Senators who may care to accompany the remains of Judge Storey to Lockhart.

Yours truly,  
ALLISON MAYFIELD,  
O. B. COLQUITT,  
Commissioners.

## SIMPLE RESOLUTION.

By Senator Kellie:

Whereas, It has pleased Almighty God, in His infinite love and wisdom, to call from time to eternity, our beloved friend and fellow-citizen, Hon. L. J. Storey; and

Whereas, His life has been devoted to the interests of the State of Texas, having always stood ready and willing to make any sacrifice in the interest of the people among whom he lived, or for the interest of his country, as was evidenced by his prompt action in volunteering to place his services at the command of the Confederacy during the Civil War; and

Whereas, He has served the State of Texas as district judge, Representative, Senator, Lieutenant Governor and Railroad Commissioner; therefore, be it

Resolved, That when the Senate adjourns today it adjourn until 10 a. m. Wednesday morning out of respect to the dead and that the entire membership of the Senate, of which the Lieutenant Governor shall be chairman, constitute a committee to attend the funeral services at the residence of the deceased at 5:10 o'clock this afternoon, and to accompany the remains to Lock-

hart for interment, and that we extend to his family our sincere condolence and sympathy for the loss they have sustained and that a copy of these resolutions be spread upon the Journal of the Senate, and that a copy thereof be furnished the bereaved wife.

Kellie, Murray, Hudspeth, Meachum, Watson, Peeler, Masterson, Alexander.

The resolution was read and unanimously adopted by a rising vote.

### BILLS AND RESOLUTIONS.

By Senator Hudspeth:

Senate bill No. 79, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Crockett county, and the county court of Edwards county; to conform the jurisdiction of the district courts thereto, and to repeal all laws in conflict therewith, and declaring an emergency."

Read first time, and referred to Committee on Judicial Districts.

Morning call concluded.

### SENATE BILL NO. 4—REFUSE TO TAKE UP.

Senate bill No. 10, being the pending business, the Chair so stated, and

Senator Senter moved that the pending order of business (Senate bill No. 10) be suspended, and the Senate take up, out of its order, Senate bill No. 4 for the purpose of setting it for a time certain.

Pending discussion on the above motion,

Senator Veale offered the following simple resolution by unanimous consent:

Whereas, The present Special Session of the Thirty-first Legislature is now drawing to a close; and

Whereas, Many important matters submitted by the Governor for the attention of the Legislature are yet to be considered; and

Whereas, It is the desire of many members of the Legislature that the present session end, that they may be allowed to return to their business avocations; therefore, be it

Resolved, That from this time on the Senate take up in their regular order all measures now before this body and finally dispose of them as they are called.

VEALE,  
STURGEON.

The resolution was read, and

Senator Watson made the point of order that the resolution sought to change the rules of the Senate, and the change in said rules could not be made in this way and was, therefore, out of order.

The Chair (Lieutenant Governor Davidson) sustained the point of order.

Action then recurred on the motion by Senator Senter to suspend the regular order and take up Senate bill No. 4.

The motion was lost by the following vote:

Yeas—9.

Adams.	Murray.
Hume.	Peeler.
Kellie.	Senter.
Masterson.	Sturgeon.
Meachum.	

Nays—12.

Alexander.	Mayfield.
Bryan.	Stokes.
Cofer.	Terrell of Bowie.
Greer.	Terrell of McLennan.
Hayter.	Veale.
Holsey.	Ward.

Absent.

Perkins.	Weinert.
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Absent—Excused.

Paulus.	Willacy.
Real.	

PAIRED.

Senator Hudspeth (present), who would vote "yea," with Senator Harper (absent), who would vote "nay."

Senator Watson (present), who would vote "yea," with Senator Brachfield (absent), who would vote "nay."

### SIMPLE RESOLUTION.

By Senator Peeler:

Whereas, The Texas Woman's Press Association meet in their annual convention in Austin on May 4 and 5, 1909; therefore, be it

Resolved by the Senate, That the Senate Chamber be and the same is hereby tendered to said association on the dates stated for the purpose of holding therein such convention.

The resolution was read and adopted.

## SENATE BILL NO. 10.

The Chair laid before the Senate, on second reading and pending business,

Senate bill No. 10, A bill to be entitled "An Act to amend Article 1264 of the Revised Statutes of 1895, and to fix the time of filing and answer in all cases where the defendant is cited by publication, and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Stokes, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

## Yeas—21.

Adams.	Murray.
Alexander.	Peeler.
Cofer.	Perkins.
Greer.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	

## Absent.

Bryan.	Terrell of McLennan.
Meachum.	Weinert.

## Absent—Excused.

Brachfield.	Real.
Harper.	Willacy.
Paulus.	

The bill was read third time, and passed by the following vote:

## Yeas—18.

Adams.	Peeler.
Alexander.	Perkins.
Hayter.	Senter.
Holsey.	Stokes.
Greer.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Veale.
Mayfield.	Ward.
Meachum.	Watson.

## Nays—3.

Cofer.	Murray.
Masterson.	

## Absent.

Bryan.	Terrell of McLennan.
Hume.	Weinert.

## Absent—Excused.

Brachfield.	Real.
Harper.	Willacy.
Paulus.	

Senator Stokes moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 11.

The Chair laid before the Senate, on second reading,

Senate bill No. 11, A bill to be entitled "An Act to regulate the procedure in the appellate courts of this State, and to provide for the filing of the original statement of facts as a part of the record on appeal and writ of error in all causes on appeal or writ of error, from all courts, both civil and criminal, with an emergency clause."

(Senator Watson in the chair.)

The bill was read, and

Senator Meachum offered the following amendment, which was read and adopted:

Amend the bill by adding after the word "court," in line 13, the words "of record," and by adding after the word "courts," in line 18, the words "of record."

SENTER,  
MEACHUM,  
ALEXANDER.

Senator Meachum offered the following amendment, which was read and adopted:

Amend the bill, line 13, by adding after the word "error," in said line, the words "to the Courts of Civil or Criminal Appeals, or to the Supreme Court."

SENTER,  
MEACHUM,  
ALEXANDER.

Bill read second time, and ordered engrossed.

Senator Veale moved that the constitutional rule requiring bills to be read on three several days be suspended, and the bill put on its third reading and final passage.

The roll call developed no quorum voting, the following being the vote:

## Yeas—20.

Adams.	Cofer.
Alexander.	Greer.
Bryan.	Hayter.

Holsey.	Senter.
Hume.	Stokes.
Masterson.	Sturgeon.
Mayfield.	Terrell of Bowie.
Meachum.	Veale.
Murray.	Ward.
Peeler.	Watson.

Absent.

Hudspeth.	Terrell of McLennan.
Kellie.	Weinert.
Perkins.	

Absent—Excused.

Brachfield.	Real.
Harper.	Willacy.
Paulus.	

Senator Veale moved a call of the Senate for the purpose of securing and maintaining a quorum. The motion was seconded.

The roll was called, which showed a quorum present, the following answering to their names:

Adams.	Meachum.
Alexander.	Murray.
Bryan.	Peeler.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	

Absent.

Hudspeth.	Terrell of McLennan.
Perkins.	Weinert.

Absent—Excused.

Brachfield.	Real.
Harper.	Willacy.
Paulus.	

Action then recurred on the motion to suspend the constitutional rule, which motion prevailed by the following vote:

Yeas—22.

Adams.	Meachum.
Alexander.	Murray.
Bryan.	Peeler.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.

Absent.

Hudspeth.	Weinert.
Perkins.	

Absent—Excused.

Brachfield.	Real.
Harper.	Willacy.
Paulus.	

The bill was read, and Senator Senter offered the following amendment:

Amend the bill by adding to Section 1 at the end thereof, the following words: "In the event said statement of facts shall be required for use as testimony in the trial of any cause, it shall be the duty of the appellate court in which the same is filed upon application therefor to make such orders with respect thereto as the applicant may show to be necessary."

## FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 29, 1909.  
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House bill No. 3, A bill to be entitled "An Act to amend Article 529n of the Penal Code of the State of Texas adopted at the Regular Session of the Twenty-fourth Legislature of the State of Texas; Article 529h of Chapter 98 of the Acts of the Regular Session of the Twenty-fifth Legislature of Texas; Article 529g of Chapter 90 of the Acts of the Regular Session of the Twenty-ninth Legislature of Texas, Article 2518, 2518½, 2518m, 529e, 529j, 529o of Chapter 126 of the Acts of the Regular Session of the Thirtieth Legislature of Texas, and adding thereto Article 2518k½, referring to licenses required of dealers in fish and oysters, and Article 529j½, referring to the screening of pumps, etc.; and repealing all laws in conflict with the above, relating to the duties and powers of the Game, Fish and Oyster Commissioner," with engrossed rider.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

## BILLS READ AND REFERRED.

The Chair (Senator Watson) had referred, after its caption had been read,

the following House bill (see above House message for caption):

House bill No. 3, referred to Judiciary Committee No. 2.

### RECESS.

On motion of Senator Sturgeon, the Senate, at 1 o'clock p. m., recessed until 2:30 o'clock today.

### AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

There being no quorum present, the Senate was at ease for ten minutes.

The Senate was again called to order by Lieutenant Governor Davidson.

The roll was called, but there was no quorum present, the following answering to their names:

Adams.	Meachum.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Veale.
Masterson.	Ward.
Mayfield.	Watson.

### Absent.

Hume.	Terrell of McLennan.
Kellie.	Weinert.
Murray.	

### Absent—Excused.

Brachfield.	Real.
Harper.	Willacy.
Paulus.	

Senator Terrell of Bowie moved a call of the Senate for the purpose of securing and maintaining a quorum. The motion was seconded.

The roll was called, the following answering to their names:

Adams.	Peeler.
Alexander.	Perkins.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Veale.
Hudspeth.	Ward.
Masterson.	Watson.
Mayfield.	

### Absent.

Hume.	Murray.
Kellie.	Terrell of McLennan.
Meachum.	Weinert.

### Absent—Excused.

Brachfield.	Real.
Harper.	Willacy.
Paulus.	

The Sergeant-at-Arms was instructed to bring in the absentees.

Pending a short delay, Senators Terrell of McLennan, Meachum and Hume were announced present, which completed a quorum.

### SENATE BILL NO. 11.

Action recurred on Senate bill No. 11, the question being on the pending amendment by Senator Senter (see morning proceedings for the amendment).

Senator Alexander offered the following substitute for the amendment:

Amend the amendment by substituting the following therefor: "In the event it becomes necessary to use any part of said original statement of facts in the trial of any cause, then either party at interest shall, on application to the clerk of such appellate court, have the right to a certified copy of such statement of facts or any part thereof, which shall be received in evidence in all cases in which the original would be received, and the clerk of such court shall have the same fees for such copy as now provided by law for a stenographer for making up a statement of facts."

ALEXANDER,  
SENER.

The substitute was adopted by the following vote:

### Yeas—19.

Adams.	Peeler.
Alexander.	Perkins.
Cofer.	Stokes.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	

### Nays—2.

Hume.	Meachum.
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Absent.

Bryan. Senter.  
Murray. Weinert.

Absent—Excused.

Brachfield. Real.  
Harper. Willacy.  
Paulus.

Senator Cofer offered the following amendment to the substitute amendment:

Amend substitute by adding at the end of Section 1 another paragraph, viz.: "Any party to such suit desiring a certified copy of any statement of fact, or any part thereof, may present a copy of such record to the clerk of the court having the custody of the original, and it shall be the duty of such clerk to compare such copy with the original and see that it is a true copy of the original, and then to attach his certificate to such copy that such copy is a true copy. For such service the clerk shall be entitled to charge fifty (50) cents for his certificate and ten (10) cents for each page of the examined and certified copy."

The amendment to the substitute was adopted by the following vote:

Yeas—20.

Adams.	Meachum.
Alexander.	Murray.
Cofer.	Peeler.
Greer.	Perkins.
Hayter.	Senter.
Holsey.	Stokes.
Hume.	Sturgeon.
Kellie.	Terrell of Bowie.
Masterson.	Terrell of McLennan.
Mayfield.	Ward.

Nays—4.

Bryan. Veale.  
Hudspeth. Watson.

Absent.

Weinert.

Absent—Excused.

Brachfield. Real.  
Harper. Willacy.  
Paulus.

Senator Watson offered the following amendment to the substitute, as amended:

Amend the amendment by adding after the words "would be received," in

lines 7 and 8, the following: "Provided, that in all cases where the testimony of any witness is so secured the entire testimony of said witness shall be included in the transcript."

The amendment was adopted.

The substitute for the amendment, as amended, was then adopted by the following vote:

Yeas—18.

Adams.	Murray.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Kellie.	Ward.
Mayfield.	Watson.

Nays—5.

Hudspeth. Sturgeon.  
Masterson. Veale.  
Meachum.

Absent.

Hume. Weinert.

Absent—Excused.

Brachfield. Real.  
Harper. Willacy.  
Paulus.

Senator Veale offered the following amendment to the bill:

Amend the caption of the bill by adding in line 10 after the word "criminal" and before the word "with" the following: "And providing for the use of certified copies of statement of facts, or any parts thereof in the trial of other cases, where the original statement of facts or such part thereof might be admissible in evidence."

The amendment was adopted by the following vote:

Yeas—24.

Adams.	Meachum.
Alexander.	Murray.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.

Absent.

Weinert.



## Absent—Excused.

Brachfield.	Real.
Harper.	Willacy.
Paulus.	

Senator Meachum offered the following amendment:

Amend the bill, line 29, by striking out the word "passage," in said line, and insert in lieu thereof the words "taking effect."

Senator Terrell of Bowie moved the previous question on the amendment and the bill, which motion being duly seconded, was so ordered.

The amendment was adopted by the following vote:

## Yeas—24.

Adams.	Meachum.
Alexander.	Murray.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.

## Absent.

Weinert.

## Absent—Excused.

Brachfield.	Real.
Harper.	Willacy.
Paulus.	

The bill was read third time, and passed by the following vote:

## Yeas—24.

Adams.	Meachum.
Alexander.	Murray.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.

## Absent.

Weinert.

## Absent—Excused.

Brachfield.	Real.
Harper.	Willacy.
Paulus.	

Senator Veale moved to reconsider the vote by which the bill was passed, and lay that motion on the table. The motion to table prevailed.

## SENATE BILL NO. 15.

The Chair laid before the Senate, on second reading and pending business,

Senate bill No. 15, A bill to be entitled "An Act to amend Chapter 22 of Title 39 of the Revised Civil Statutes of Texas of 1895, by amending Article 2125 of said chapter, relating to citations in the sale of land by executors or administrators of the estates of decedents, and declaring an emergency."

(Senator Veale in the chair.)

Senator Alexander offered the following amendment, which was read and adopted:

Amend the bill, line 18, page 1, by striking out the words "returned record" and inserting the words "return recorded."

Bill read second time, and ordered engrossed.

On motion of Senator Alexander, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

## Yeas—22.

Adams.	Meachum.
Alexander.	Murray.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Senter.
Hayter.	Stokes.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.

## Absent.

Hume.	Weinert.
Sturgeon.	

## Absent—Excused.

Brachfield.	Real.
Harper.	Willacy.
Paulus.	

The bill was read third time, and passed by the following vote:

## Yeas—22.

Adams.	Meachum.
Alexander.	Murray.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Senter.
Hayter.	Stokes.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.

## Nays—1.

Hume.

## Absent.

Sturgeon.

Weinert.

## Absent—Excused.

Brachfield.

Real.

Harper.

Willacy.

Paulus.

Senator Alexander moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 16.

The Chair laid before the Senate, on second reading and pending business,

Senate bill No. 16, A bill to be entitled "An Act for the protection of stock and stock raisers, farmers and horticulturists from the danger of wolf bite, and the communication of the dangerous disease of hydrophobia, and for the destruction of wolves and other wild animals, subject to the disease of hydrophobia, and to provide a means of paying for their destruction, and to make an appropriation for paying for their destruction; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

## Yeas—19.

Adams.	Hume.
Alexander.	Kellie.
Bryan.	Masterson.
Hayter.	Meachum.
Hudspeth.	Murray.

Peeler.	Terrell of McLennan.
Perkins.	Veale.
Senter.	Ward.
Stokes.	Watson.
Terrell of Bowie.	

## Nays—4.

Cofer.	Holsey.
G---.	Mayfield.

## Absent.

Sturgeon.

Weinert.

## Absent—Excused.

Brachfield.

Real.

Harper.

Willacy.

Paulus.

The bill was read third time, and passed.

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## REASONS FOR VOTING NO.

We voted against the wolf scalp bill, and place this statement in the record showing our opposition to said bill, as there was no roll call on final passage. However, the record on the vote to suspend the constitutional rule shows our record on the bill in opposition to it. We deem it inexpedient and unwise to vote \$150,000 of the public funds for killing wolves and especially at this time in the present condition of the treasury.

COFER,  
GREER,  
HOLSEY,  
STURGEON.

## SENATE BILL NO. 23.

The Chair laid before the Senate, on second reading and pending business,

Senate bill No. 23, A bill to be entitled "An Act to provide a system of electric power, electric lights and waterworks for the purpose of supplying electric power, electric lights and water to the State Capitol, the General Land Office, Governor's Mansion, State University and the various public institutions of the State of Texas in the city of Austin and adjacent thereto; to create a board with authority to construct or have constructed or purchase and put in operation the necessary property, ma-



chinery and plant for such purpose, and with authority to lay mains and pipes and to erect poles and place wires across and along streets and alleys, public grounds and public highways in the city of Austin, and public roads adjacent thereto, and to secure from the owners, by purchase or condemnation proceedings, if necessary, the right to lay such mains and pipes and erect such poles and place such wires across private lands; to provide for the operation of such plant, to make an appropriation therefor, and to declare an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read, and

Senator Peeler offered the following amendment, which was read and adopted:

Amend the bill by inserting the following at the end of Section 4: "Provided, that in event the awards, or any one of them, of such condemnation proceedings are found satisfactory to said board, no property thus condemned shall be taken or used by the State until the same is first paid for; and provided further, that all streets, alleys and other thoroughfares shall be left in as good condition as they were before such improvements were made."

Bill read second time, and ordered engrossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Mayfield.
Alexander.	Meachum.
Bryan.	Murray.
Cofer.	Peeler.
Greer.	Perkins.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Masterson.	

Present—Not Voting.

Senter.

Absent.

Stokes.	Weinert.
Sturgeon.	

Absent—Excused.

Brachfield.	Real.
Harper.	Willacy.
Paulus.	

Senator Watson here moved to reconsider the vote by which the constitutional rule requiring bills to be read on three several days was suspended.

The motion prevailed.

Senator Watson moved that the vote by which the bill was ordered engrossed be reconsidered.

The motion was adopted.

Senator Watson offered the following amendment:

Amend the bill by striking out "Secretary of State," in line 2 of Section 1, and insert in lieu thereof the following: "Comptroller of Public Accounts."

Senator Terrell of Bowie moved the previous question on the amendment and the bill, which motion being duly seconded, was so ordered.

The amendment by Senator Watson was then adopted by the following vote:

Yeas—13.

Adams.	Peeler.
Hayter.	Perkins.
Holsey.	Stokes.
Hudspeth.	Terrell of McLennan.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	

Nays—10.

Alexander.	Kellie.
Bryan.	Senter.
Cofer.	Sturgeon.
Greer.	Terrell of Bowie.
Hume.	Veale.

Absent.

Murray.	Weinert.
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Absent—Excused.

Brachfield.	Real.
Harper.	Willacy.
Paulus.	

Bill read second time, and ordered engrossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

## Yeas—23.

Adams.	Murray.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	

## Absent.

Hume.	Weinert.
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## Absent—Excused.

Brachfield.	Real.
Harper.	Willacy.
Paulus.	

The bill was read third time, and passed.

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## ADJOURNMENT.

On motion of Senator Meachum, the Senate, at 4:25 o'clock p. m., adjourned until 10 o'clock Wednesday morning.

## APPENDIX.

## COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, March 29, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 10, A bill to be entitled "An Act to amend Article 1264 of the Revised Statutes of 1895, and to fix the time of filing and answer in all cases where the defendant is cited by publication, and declaring an emergency."

And find the same correctly engrossed.

WARD, Chairman.

Committee Room,  
Austin, Texas, March 29, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 66, A bill to be entitled "An Act to confer upon the county court of Concho county the civil and criminal jurisdiction belonging to said court under the Constitution and general statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding court, and to repeal all laws in conflict with this act, and declaring an emergency."

And find the same correctly engrossed.

WARD, Chairman.

Committee Room,

Austin, Texas, March 29, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 8, A bill to be entitled "An Act to abolish the Department of Public Health and Vital Statistics, and to establish instead a State Board of Health."

And find the same correctly engrossed.

WARD, Chairman.

## TWELFTH DAY.

Senate Chamber,

Austin, Texas,

Wednesday, March 31, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

The roll was called, a quorum being present, the following Senators answering to their names:

Adams.	Murray.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Meachum.	Willacy.

## Absent.

Mayfield.

Absent—Excused.

Paulus.